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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,884	06/25/2003	Robert N. Goldberg	03226/30500 ; P9163	3002
32615	7590	07/24/2006	EXAMINER	
OSHA LIANG L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			PONIKIEWSKI, TOMASZ	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/603,884

Applicant(s)

GOLDBERG ET AL.

Examiner

Tomasz Ponikiewski

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Remarks***

1. The Amendment filed on May 10, 2006 has been received and entered. Claims 1, 13, and 16-17 have been amended. Claims 1-17 are pending.

### ***Claim Objections***

2. Claims 1, 13, and 16-17 are objected to because of the following informalities: the recitation "read/write" in the body of the claims makes it unspecified whether the consistency is read only, write only or both. Appropriate correction is required.

Claim 8 recite "to be used" in the body of the claim. It indicates intended use and as such does not carry patentable weight. The word could be changed to recite "applied". The limitations following the phrase "to be used" describes only intended use but not necessarily required functionality of the claim. Limitations following the phrase "to be used" do not carry patentable weight, which cause the claims to appear as a series of non-functional descriptive material/data without any functional relation with each other. Applicant is required to amend the claims so that the claim limitations are recited in a definite form.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Jensen et al. (US Patent 5,615,362).

As per claim 1 Jensen et al. is directed to a system for specifying read/write consistency for an application, comprising:

an application comprising at least one transaction (column 4, lines 20-30; column 5, lines 59-62, wherein "transaction" means "object instance"), wherein the at least one transaction comprises at least one of a plurality of states, (column 9, lines 22-31) at least one of a plurality of transitions (column 6, lines 63-64, wherein "transition" means "transform"), and at least one artifact (column 6, lines 18-19, wherein "artifact" means "attribute");  
and a database operatively connected to the application (column 4, lines 23-24);  
wherein the application accesses data associated with the at least one artifact using a read/write consistency specification when the application enters the at least one of the plurality of states (column 4, lines 41-49; column 9, lines 23-35);

wherein the read/write consistency specification specifies at least one selected from the group consisting of a read consistency and a write consistency to apply to the at least one artifact within the transaction (column 4, lines 41-44).

As per claim 2 Jensen et al. is directed to wherein the application is defined using an application usage specification (column 5, lines 59-65).

As per claim 3 Jensen et al. is directed to wherein the application is designed using an application usage specification and a business object specification (column 5, lines 51-52; column 5, lines 59-65).

As per claim 4 Jensen et al. is directed to wherein the business object specification defines a variable of a business object (column 6, lines 25-27).

As per claim 5 Jensen et al. is directed to wherein the business object specification defines how the business object is to be used in within the plurality of states and the plurality of transitions using the application usage specification (column 9, lines 21-31).

As per claim 6 Jensen et al. is directed to wherein the application is designed using an application usage specification and a database schema (column 6, lines 61-62; column 9, lines 21-31).

As per claim 7 Jensen et al. is directed to wherein the database schema defines an attribute in a database schema (column 6, lines 61-62).

As per claim 8 Jensen et al. is directed to wherein the database schema defines how the attribute is to be used within the plurality of states and the plurality of transitions using the application usage specification (column 10, lines 46-57).

As per claim 9 Jensen et al. is directed wherein the database is a relational database (column 1, line 43).

As per claim 10 Jensen et al. is directed to wherein the read consistency includes at least one selected from the group consisting of none, read once, re-read, and read consistent (column 12, lines 13-15).

As per claim 11 Jensen et al. is directed to wherein the write consistency includes at least one selected from the group consisting of none, creating an object, write over, write append, and write consistent (column 13, lines 1-9).

As per claim 12 Jensen et al. is directed to wherein the artifact is one selected from the group consisting of a variable, an attribute, and a relationship (column 6, lines 18-19).

As per claim 13 Jensen et al. is directed to a method for generating an application, comprising:

obtaining a business object specification that defines at least one artifact (column 5, lines 51-52);

obtaining an application usage specification that defines the application as a plurality of states (column 9, lines 22-31) and a plurality of transitions (column 6, lines 63-64, wherein "transition" means "transform"), wherein the at least one artifact is associated with a state (column 9, lines 30-31);

obtaining a read/write consistency specification that corresponds to at least one transaction, wherein the at least one transaction comprises at least one of the plurality of states and one of the plurality of transitions and the read/write consistency specification includes at least one selected from the group consisting of a read consistency and a write consistency to apply to the at least one artifact within the transaction (column 12, lines 13-15; column 13, lines 1-9);

and generating the application using the database schema, the application usage specification, and the read/write consistency specification (column 10, lines 46-57);

wherein the artifact is one selected from the group consisting of a variable, a relationship, and an attribute (column 6, lines 18-19).

wherein the application accesses data associated with the at least one artifact using a read/write consistency specification when the application enters the at least one of the plurality of states (column 4, lines 41-49; column 9, lines 23-35).

As per claim 14 Jensen et al. is directed to wherein the read consistency includes at least one selected from the group consisting of none, read once, re-read, and read consistent (column 12, lines 13-15).

As per claim 15 Jensen et al. is directed to wherein the write consistency includes at least one selected from the group consisting of none, creating an object, write over, write append, and write consistent (column 13, lines 1-9).

As per claim 16 Jensen et al. is directed to a computer-readable medium having recorded thereon instructions executable by a processor, the instructions for: obtaining a database schema that defines at least one artifact (column 6, lines 61-62);

obtaining an application usage specification that defines the application as a



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plurality of states (column 9, lines 22-31) and a plurality of transitions (column 6, lines 63-64, wherein "transition" means "transform"), wherein the at least one artifact is associated with a state (column 9, lines 30-31); obtaining a read/write consistency specification that corresponds to at least one transaction, wherein the at least one transaction comprises at least one of the plurality of states and one of the plurality of transitions and the read/write consistency specification includes at least one selected from the group consisting of a read consistency and a write consistency to apply to at least one artifact within the transaction (column 12, lines 13-15; column 13, lines 1-9); and generating the application using the database schema, the application usage specification, and the read/write consistency specification (column 10, lines 46-57).

wherein the application accesses data associated with the at least one artifact using a read/write consistency specification when the application enters the at least one of the plurality of states (column 4, lines 41-49; column 9, lines 23-35).

As per claim 17 Jensen et al. is directed to an apparatus for generating an application, comprising:

means for obtaining a database schema that defines at least one artifact (column 6, lines 61-62);

means for obtaining an application usage specification that defines the application as a plurality of states (column 9, lines 22-31) and a plurality of transitions (column 6, lines 63-64, wherein "transition" means "transform"), wherein the at least one artifact is associated with a state (column 9, lines 30-31);

means for obtaining a read/write consistency specification that corresponds to at least one transaction, wherein the at least one transaction comprises at least one of the plurality of states and one of the plurality of transitions and the read/write consistency specification includes at least one selected from the group consisting of a read consistency and a write consistency to apply to the at least one artifact within the transaction (column 12, lines 13-15; column 13, lines 1-9);

and means for generating the application using the database schema, the application usage specification, and the read/write consistency specification (column 10, lines 46-57);

wherein the artifact is one selected from the group consisting of a variable, a relationship, and an attribute (column 6, lines 18-19).

wherein the application accesses data associated with the at least one artifact using a read/write consistency specification when the application enters the at least one of the plurality of states (column 4, lines 41-49; column 9, lines 23-35);

***Response to Arguments***

5. Applicant's arguments filed May-10-2006 have been fully considered but they are not persuasive.

Applicant's argument regarding claim 1 that "Jensen et al. does not teach or suggest transaction" is acknowledged but not deemed persuasive.

The examiner submits that Jensen et al. teaches that the object instance contains a state as described in Jensen et al., column 9, lines 19-20. The examiner could not find a clear definition of what a transition is in the specification. It could therefore be a transformation as stated or just another instance of transaction.

Applicant also argues that the term "state" in Jensen et al. reference is not equivalent to the term "state" in the instant application. As per specifications page 7, paragraph 0020 the state is defined as an interaction with a client. The Jensen et al. reference states that the state can be valid or flushes meaning it's an interaction from the user signifying that the data was read or not.

Applicant's argument regarding claims 1, 13, and 16-17 that "Jensen et al. does not teach or suggest specification of read or write consistency" is acknowledged but not deemed persuasive.

The examiner submits that Jensen et al. teaches that by locking data (Jensen et al., column 4, lines 45) suggests that the data is read only consistent, so the data can be accessed based on whether the data is locked or not, in other words read or write.

Applicant's argument regarding claims 1, 13, and 16-17 that "Jensen et al. does not teach or suggest application accesses data from database associated with at least one artifact using a read/write consistency specification when the application enters the at least one of the plurality of the states" is acknowledged but not deemed persuasive.

The examiner submits that Jensen et al. teaches the limitation by locking or unlocking the data (Jensen et al., column 4, lines 45) as the application has a certain state (Jensen et al., column 9, lines 22-35) which as stated above shows interaction as to whether the data is valid or has been flushed.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski  
July 20, 2006



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